

SENATE BILL REPORT

SB 5851

As Reported by Senate Committee On:
Early Learning & K-12 Education, January 25, 2024
Ways & Means, February 5, 2024

Title: An act relating to Holocaust and genocide education in public schools.

Brief Description: Concerning Holocaust and genocide education in public schools.

Sponsors: Senators Braun, Salomon, Billig, Gildon, Hasegawa, Holy, Lias, MacEwen, McCune, Schoesler, Short, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wilson, C. and Wilson, L..

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/17/24, 1/25/24 [DPS-WM, w/oRec].
Ways & Means: 2/03/24, 2/05/24 [DP2S].

Brief Summary of Second Substitute Bill

- Designates April as International Genocide Prevention and Awareness Month to provide space for formal recognition of the Holocaust and other examples of genocide and crimes against humanity.
- Strongly encourages public schools to offer at least one Holocaust and genocide education stand-alone elective available at least once during grades 6-12.
- Requires public middle, junior high, and high schools to provide Holocaust and genocide instruction when this topic aligns with the social studies learning standards beginning with the 2027-28 school year.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5851 be substituted therefor, and the

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substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Minority Report: That it be referred without recommendation.

Signed by Senator Nobles, Vice Chair.

Staff: Ailey Kato (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5851 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

Staff: Trevor Press (786-7446)

Background: Holocaust and Genocide Instruction. State law strongly encourages public middle, junior high, and high schools to include in its curriculum instruction on the events of the period in modern world history known as the Holocaust, the systemic, German state-sponsored persecution and murder of Jews and other innocent victims by the Nazi regime and its collaborators between the years 1933 and 1945. The instruction may also include other examples of genocide and crimes against humanity. The studying of this material is intended to:

- examine the ramifications of prejudice, racism, and intolerance;
- prepare students to be responsible citizens in a pluralistic democracy; and
- be a reaffirmation of the commitment of free peoples never again to permit such occurrences.

The Office of the Superintendent of Public Instruction (OSPI), in collaboration with an expert nonprofit organization, must develop best practices and guidelines for high quality instruction and encourage and support teachers. Beginning in 2020, schools that offer Holocaust and genocide instruction must follow these best practices and guidelines.

Subject to appropriations, OSPI must work with an expert nonprofit organization that teaches the lessons of the Holocaust to support and train teachers. The 2023-25 operating budget included \$750,000 each for fiscal years 2024 and 2025 for OSPI to contract with a nonprofit organization for the expansion of comprehensive Holocaust and genocide education.

The Office of the Superintendent of Public Instruction Report. In 2019, the Legislature directed OSPI to collect feedback from expert nonprofit organizations about Holocaust and genocide education best practices and guidelines, the number of teachers trained, and whether instruction should be required.

OSPI submitted a report on these topics in 2022 with recommendations that addressed the following:

- establishing a requirement for all schools to recognize International Genocide Prevention and Awareness month in April;
- strongly encouraging all school districts to offer at least one Holocaust and genocide stand-alone elective; and
- requiring Holocaust and genocide education content be taught in courses that align with the social studies learning standards beginning in the 2027-28 school year.

Summary of Bill (Second Substitute): International Genocide Prevention and Awareness Month. April of each year is designated International Genocide Prevention and Awareness Month to provide space for formal recognition of the Holocaust and other examples of genocide and crimes against humanity. During this month, each public school must conduct or promote age-appropriate educational activities that provide instruction, awareness, and understanding of the Holocaust and genocide education to all students. These activities may include classroom instruction, guest speaker presentations, school assemblies, and other developmentally appropriate activities.

Stand-Alone Elective. Public schools are strongly encouraged to offer at least one Holocaust and genocide education stand-alone elective available to students at least once during grades 6-12. OSPI must electronically publish, and update as needed, guidance on vertical alignment, materials, and professional learning to support implementation of the stand-alone elective.

Required Holocaust and Genocide Instruction. Beginning with the 2027-28 school year, public middle, junior high, and high schools must provide instruction on the Holocaust and other examples of genocide and crimes against humanity when this topic aligns with the social studies learning standards including U.S. history and contemporary world history.

OSPI must work with an expert nonprofit organization that teaches the lessons of genocide in addition to the Holocaust and other nonprofit organizations led by underrepresented communities impacted by genocide with expertise in education of other genocides, crimes against humanity, and ethnic studies in different regions of the world and at various points in history to develop best practices and guidelines for high quality instruction. The instruction must follow these practices and guidelines, which OSPI annually update

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- killing members of the group;
- causing serious bodily or mental harm to members of the group;
- deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- imposing measures intended to prevent births within the group; and
- forcibly transferring children of the group to another group.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Second Substitute):

Specifies that the OSPI will collaborate with a nonprofit organization with expertise in teaching the lessons of the holocaust and other nonprofit organizations led by underrepresented communities impacted by genocide with expertise in education of other genocides, crimes against humanity, and ethnic studies in different regions of the world and at various points in history rather than with a single nonprofit organization for developing best practices and guidelines for genocide instruction and for supporting teachers to implement these best practices and guidelines.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Adds a definition for genocide.
- Adds that the expert organization that OSPI must collaborate with teaches lessons on genocide in addition to the Holocaust.
- Reorganizes some language and adds a definition section.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: This bill builds on previous legislation on this topic and voluntary implementation of this education has had a lot of success. The Holocaust Center for Humanity provides a lot of support to provide this education. This education should be required because of how important it is to learn from the past. Incidents of antisemitism has been growing, and the legacy of discrimination continues today. This is not just an academic matter; it is a deeply personal matter that has affected many families. There is a growing knowledge gap for younger people and their understanding of the Holocaust. The Holocaust is one of the most well-documented genocides, and provides many lessons for the

future. It teaches what can happen when hate and bigotry goes unchecked. Empathy is key to understanding injustice. This is not a partisan issue; it is a moral issue. This education is not part of ethnic studies, which is the study of diverse people and their contributions. Every kid should be proud of their identity and should learn the history of the Holocaust. School districts should have flexibility in how they recognize the International Genocide Prevention and Awareness Month. Teaching this topic has a positive impact on students' civic virtues and promotes more tolerant views.

CON: One of the main tenants of Judaism is justice, which is justice for the entirety of humanity and the oneness of all people. Another tenant is truth-telling to seek justice for all. This education is focused on death and oppression and will further the misconception that marginalized people begin and end with their oppression. Given that there is a movement away from Euro-centric curricula, it is confusing why the Holocaust is called out separately from other genocides. The bill should call out the ongoing genocide of indigenous people of the Americas committed by the U.S. government, as well as many other genocides, many of which involve largely racialized groups that have been left out of the narrative.

OTHER: In the spirit of diversity, equity, and inclusion, this bill should explicitly name other genocides that have happened throughout the world and not give priority to one over another. This would not diminish the teaching of the Holocaust but would recognize all communities. There is a rise in radicalization including anti-Muslim racism and antisemitism in this country. The bill should name the Bosnia, Darfur, Cambodia, and Rohingya genocides.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator John Braun, Prime Sponsor; Senator Jesse Salomon; Simone Boe, Washington Education Association; Paul Regelbrugge, Holocaust Center for Humanity; Cammie Allen; Ingrid Steppic; Dee Simon, Holocaust Center for Humanity; Rose Nelson; Emmanuel Turaturanye; Maxima Patashnik, Jewish Community Relations Council of the Jewish Federation of Greater Seattle; Hannah Lidman, Parent; Ari Hoffman; Branda Anderson.

CON: Tracy Dr. Castro-Gill, Washington Ethnic Studies Now; Mohamad Bin Bin Zohor, Rohingya; Rebekah Erev.

OTHER: Selma Porca; Yasir Zaidan; Samna Chheng-Mikula; Tarik Kunduklija; Nizama Djuderija.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): PRO: Elsa Jones; William Clark, Peace Catalyst International; Joe A Kunzler; Stephanie Ung, Khmer Community of Seattle King County; Linda Clifton; Gabriela Varela.

CON: Oliver Miska; Ahmed Nada; Ahmed Ashour; Amina Mansour; Mahwish Nadeem; Tazia mehdi; Muhammad Mehdi; Heidi Ahmed; Alaa Shaker; Enas Fayed; Hasan Usmani; Mohammad Omar; Nivin Ashraf; Hebah Fisher; Asmaa Mohammad; Sherif Abdelwahab;

Mahitab Abdelsalam; Hend Barry; Sam La; Ayman Elmenshawy; Nour Fakhreldin; Islam Atta; Lubna Alzaroo; Omar Khalafalla; Dina Hamdan; Maryam Sajid; Ala Hassan; Yasmin Mohamed.

OTHER: Hena Zuberi, Justice For All; Admir Kelemis; Rabi Yuguda; Sarah Karim; Luay Joudeh; Gabriel Jacobs; Sallie Shawl.

Staff Summary of Public Testimony on First Substitute (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: The nonprofit that would assist with the implementation of this bill has members from many different cultures that have been impacted by genocide. This legislation allows for the expansion of educational work with communities that have experienced genocide. The resources that have been used for Holocaust and genocide studies are extremely important and spending money on this work reflects our values. This legislation is the culmination of years of work. Last year the state funded Holocaust education. This bill counters the latest form of Holocaust denial and has clear legal definitions. The purpose of this bill is to recognize and denounce genocide everywhere. This bill is a smart investment that ensures all Washington students learn how to disrupt the building blocks of hate. Holocaust education is not just about the state; it is about current events. Many children do not know what the Holocaust was and it has many lessons to avoid hatred. If we are concerned about antisemitism and hate in all its forms, this is a good investment.

CON: Other communities want a seat at the table rather than having this curriculum taught by one organization. The current bill only allows for a contract with a single organization, and I recommend amending the bill to allow for more contracts with organizations that can provide assistance with covering other genocides. Please amend the bill to include funding for more than one nonprofit that specialize in other under-represented communities. To be truly equitable, this should be a team. Why is April the specified month? The emotional burden should not be given to students who are currently experiencing genocide. This bill needs to include the Native American Genocide and be more equitable by including education on more genocides. Please amend the bill to include more funding to more than one non-profit and make a partnership with underrepresented communities affected by genocides to help create a more inclusive curriculum. There have been more than one genocide since the Holocaust, some of which are hidden and children need a more wholistic understanding of genocide.

OTHER: The bill and budget should be amended to approve funding for more than one non-profit. The goal is to have a more diverse and inclusive education. Please amend the bill to include more language about specific genocides. What is needed in the curriculum development to include the many Washington families that have experienced genocide. Please include nonprofits in communities that have experienced genocide in different parts of the world and at different times. Best practices are that we consult more than one resource and this should also apply to this curriculum.

Persons Testifying (Ways & Means): PRO: Senator John Braun, Prime Sponsor; Aline Flower; Paul Regelbrugge, Holocaust Center for Humanity; Lynn Smith; Dee Simon, Holocaust Center for Humanity; Rose Nelson; Liam Krol; Nancy Sapiro, Jewish Community Relations Council of the Jewish Federation; Hannah Lidman, Parent; Linda Clifton; Solomon Kane, Jewish Federation of Greater Seattle.

CON: Oliver Miska, WAESN; Nizama Djuderija, BAI; Leslie Maxwell; Sarah Karim; Ella Hassan; Noreen Awan; Sara Duke.

OTHER: Rebekah Erev; Michelle Ryder; Rae Levine; Sallie Shawl.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.